

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: ULRICH SCHIESTL, ET AL
SERIAL NO.: 10/743,168
FILED : DECEMBER 22, 2003
FOR : INTERNAL COMBUSTION-OPERATED SETTING TOOL
EXAMINER: Michelle Lopez GROUP: 3721

Mail Stop: **Non-Fee Amendment**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

05/02/2005 HMARZ11 00000072 500955 10743168
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TERMINAL DISCLAIMER

Hilti Aktiengesellschaft, the assignee of 100% interest of the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,722,548. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the

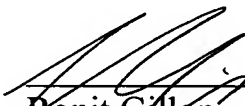
prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The Undersigned is an attorney (agent) of record.

The Commissioner is hereby authorized to charge the fee required under 37 C.F.R. §1.20(d) in the amount of \$130.00 and any additional fees, which may be required, or credit any overpayment, to Deposit Account No. 50-0955.

Respectfully submitted,



Ronit Gilon
Reg. No. 39,202

Dated: April 26, 2005
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 26, 2005.

Benque Joseph